

Representative Stephanie Gricius proposes the following substitute bill:

VETERINARY ~~H~~→ [TELEHEALTH] ←~~H~~ AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies provisions related to veterinary practice.

Highlighted Provisions:

This bill:

- ▶ allows a veterinary technician to carry out delegated tasks from a veterinarian under direct or indirect supervision; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-102, as last amended by Laws of Utah 2020, Chapter 435

58-28-502, as last amended by Laws of Utah 2023, Chapter 329

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-28-102** is amended to read:



119 animal, and the client has agreed to follow the veterinarian's instructions;

120 (b) the veterinarian has sufficient knowledge of the animal to initiate at least a general
121 or preliminary diagnosis of the medical condition of the animal, including knowledge of the
122 keeping and care of the animal as a result of recent personal examination of the animal or by
123 medically appropriate visits to the premises where the animal is housed; and

124 (c) the veterinarian has arranged for emergency coverage for follow-up evaluation in
125 the event of adverse reaction or the failure of the treatment regimen.

126 Section 2. Section **58-28-502** is amended to read:

127 **58-28-502. Unprofessional conduct.**

128 (1) "Unprofessional conduct" includes, in addition to the definitions in Section
129 58-1-501:

130 (a) applying unsanitary methods or procedures in the treatment of any animal, contrary
131 to rules adopted by the board and approved by the division;

132 (b) procuring any fee or recompense on the assurance that a manifestly incurable
133 diseased condition of the body of an animal can be permanently cured;

134 (c) selling any biologics containing living or dead organisms or products or such
135 organisms, except in a manner which will prevent indiscriminate use of such biologics;

136 (d) swearing falsely in any testimony or affidavit, relating to, or in the course of, the
137 practice of veterinary medicine, surgery, or dentistry;

138 (e) willful failure to report any dangerous, infectious, or contagious disease, as required
139 by law;

140 (f) willful failure to report the results of any medical tests, as required by law, or rule
141 adopted pursuant to law;

142 (g) violating Chapter 37, Utah Controlled Substances Act;

143 (h) ~~Ĥ→ [delegating tasks to unlicensed assistive personnel in violation of standards of the~~
144 **profession and in violation of Subsection (2)] delegating to unlicensed assistive personnel:**

144a **(i) a task that violates the standards of the profession or Subsection (2); or**

144b **(ii) the administration of anesthesia or sedation if the delegating veterinarian is not providing**

144c **direct supervision of the administration** ~~←Ĥ~~ ; and

145 (i) making any unsubstantiated claim of superiority in training or skill as a veterinarian
146 in the performance of professional services.

147 (2) (a) "Unprofessional conduct" does not include the following:

148 (i) delegating to a veterinary technologist, while under the indirect supervision of a
149 veterinarian [~~licensed under this chapter~~], patient care and treatment that requires a technical

150 understanding of veterinary medicine if written or oral instructions are provided to the
151 technologist by the veterinarian;

152 (ii) delegating to a state certified veterinary technician or a veterinary technician, while
153 under the direct or indirect supervision of a veterinarian [~~licensed under this chapter~~], patient
154 care and treatment that requires a technical understanding of veterinary medicine if the
155 veterinarian provides written or oral instructions to the state certified veterinary technician;

156 [~~(iii) delegating to a veterinary technician, while under the direct supervision of a
157 veterinarian licensed under this chapter, patient care and treatment that requires a technical
158 understanding of veterinary medicine if written or oral instructions are provided to the
159 technician by the veterinarian;~~]

160 [(iv)] (iii) delegating to a veterinary assistant, under the immediate supervision of a
161 licensed veterinarian, tasks that are consistent with the standards and ethics of the profession;

162 [(v)] (iv) delegating to an individual described in Subsection 58-28-307(16), under the
163 direct supervision of a licensed veterinarian, the administration of a sedative drug for teeth
164 floating; or

165 [(vi)] (v) discussing the effects of the following on an animal with the owner of an
166 animal:

167 (A) a cannabinoid or industrial hemp product, as those terms are defined in Section
168 4-41-102; or

169 (B) THC or medical cannabis, as those terms are defined in Section 26B-4-201.

170 (b) The delegation of tasks permitted under Subsections (2)(a)(i) through ~~H~~→ [(v)] (iv) ←~~H~~

170a does not
171 include:

- 172 (i) diagnosing;
- 173 (ii) prognosing;
- 174 (iii) surgery; or
- 175 (iv) prescribing drugs, medicines, or appliances.

176 (3) Notwithstanding any provision of this section, a veterinarian [~~licensed under this
177 chapter~~] is not prohibited from engaging in a discussion described in Subsection ~~H~~→ [(2)(a)(vi)]

177a (2)(a)(v) ←~~H~~ .

178 Section 3. **Effective date.**

179 This bill takes effect on May 1, 2024.